

On page ~~9~~, at line 34, kindly delete "Figure legends" and insert the following section header:

BRIEF DESCRIPTION OF THE DRAWINGS

On page ~~14~~, before the first sentence, insert the following section header:

DETAILED DESCRIPTION OF THE INVENTION

IN THE CLAIMS:

Please amend the claims as follows:

1. (Amended) An isolated nucleic acid which comprises the sequence of the promoter for the gene for a lucerne PR protein linked to at least the sequence of a gene encoding a stilbene synthase, wherein said nucleic acid comprises SEQ. ID. NO.:3.
2. (Amended) The isolated nucleic acid according to claim 1, wherein said promoter is inducible in plants.
3. (Twice amended) The isolated nucleic acid according to claim 1, wherein said nucleic acid is selected from the group consisting of SEQ. ID. NO.: 3 and any sequence that is a fragment of said SEQ. ID. NO.: 3 sequence and functions as a promoter in plants.
4. (Amended) The isolated nucleic acid according to Claim 3, wherein said nucleic acid exhibits at least 80% sequence identity with said SEQ. ID. NO.: 3 sequence.
5. (Amended) The isolated nucleic acid according to Claim 3, wherein said nucleic acid exhibits at least 90% sequence identity with said SEQ. ID. NO.: 3 sequence.
6. (Amended) The isolated nucleic acid according to Claim 1, wherein said nucleic acid exhibits at least 95% sequence identity with said SEQ. ID. NO.: 3 sequence.

7. (Amended) The isolated nucleic acid according to Claim 1, wherein said gene sequence encodes a grapevine stilbene synthase.

D² *cancel*
8. (Amended) The isolated nucleic acid according to Claim 7, selected from the group consisting of the vst1 gene and the vst2 gene.

9. (Twice amended) A plant expression vector comprising the nucleic acid of Claim 1.

11. (Amended) The plant expression vector according to Claim 9 wherein said vector is a plasmid.

12. (Twice amended) The plant expression vector according to Claim 9, wherein said vector can be transferred into *Agrobacterium* strains.

13. (Twice amended) The plant expression vector according to Claim 9, wherein said vector can be induced in plants by a biotic or abiotic stress

D³
14. (Amended) The plant expression vector according to Claim 13, wherein said biotic stress is a parasite attack.

15. (Amended) The plant expression vector according to Claim 14, wherein said parasite is selected from the group consisting of a bacterium, a yeast, a fungus and a virus.

16. (Amended) The plant expression vector according to Claim 14, wherein said parasite is *Botrytis cinerea* or *Plasmopora viticola*.

17. (Amended) The plant expression vector according to Claim 13, wherein said abiotic stress is a mechanical wound.

18. (Amended) The plant expression vector [Expression system] according to Claim 17, wherein said mechanical wound is caused by an insect.

19. (Amended) The plant expression vector according to Claim 17, wherein said mechanical wound is caused by wind or frost.

20. (Twice amended) Plant cells transformed with the plant expression vector of Claim 9.

21. (Amended) The plant cell according to Claim 20 wherein said cell is a grapevine cell.

22. (Twice amended) A method for making the plant cell of Claim 20, wherein a plant cell is transformed using an expression vector comprising a promoter for a luciferase gene operably linked to a coding sequence of a stilbene synthase gene.

23. (Twice amended) A method for making the plant method for making plants that express stilbene synthase comprising:

transforming plant cells with the plant expression vector of Claim 9; and

regenerating transformed plants from said cells, wherein said plants express stilbene synthase.

24. (Twice amended) A transformed plant comprising the plant expression vector of Claim 9.

25. (Twice amended) A transformed plant comprising the plant cell of Claim 20.

26. (Twice amended) A transformed plant made by the method of Claim 23.

27. (Twice amended) The transformed plant of Claim 24, wherein said plant is a plant of agricultural interest.

DS
amend
28. (Amended) The transformed plant according to Claim 27, wherein said plant is grapevine.

D4
29. (Twice amended) A method for making the plant cell of Claim 21, wherein a plant cell is transformed by a plant expression vector comprising a promotor for a lucern PR gene operably linked to a nucleic acid sequence coding for a stilbene synthase gene.

Please admit the following claims:

D1
30. (New) An isolated nucleic acid comprising SEQ. ID. NO.: 1.

31. (New) An isolated nucleic acid comprising SEQ. ID. NO.: 2.

32. (New) An isolated nucleic acid according to claim 2, wherein said promoter is inducible in in plants in a tissue-specific manner.

33. (New) An isolated nucleic acid according to claim 2, wherein said promoter is inducible in plants by stress.

IN THE ABSTRACT:

Please insert the new Abstract of the Disclosure which will be attached on the following sheet.

REMARKS

Status of Claims:

Claims 1-29 were pending in the application; claims 30-33 are newly-presented; claim 10 is hereby cancelled without prejudice or disclaimer of subject matter contained within. Claims 1-9 and 11-33 are now pending. Each of the pending claims defines an invention that is novel and unobvious over the cited art. Favorable consideration of this case is respectfully requested.